

FORM PTO-1390
(REV 07-2005)

ATTORNEY DOCKET NUMBER

5000-5291

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

TBA

10/560706

INTERNATIONAL APPLICATION
PCT/JP2004/008218INTERNATIONAL FILING DATE
June 11, 2004PRIORITY DATE CLAIMED
June 13, 2003

TITLE OF INVENTION

MIS TRANSISTOR AND CMOS TRANSISTOR

APPLICANT(S) FOR DO/EO/US

Takefumi NISHIMUTA; Hiroshi MIYAGI; Tadahiro OHMI; Shigetoshi SUGAWA; and Akinobu TERAMOTO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected. (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

Copy of first page of PCT Publication; PCT/IB/308 First Notice; PCT/IB/308 (Second and Supplementary Notice); PCT/IB/311; PCT/IB/304; PCT/IB/307; PCT/IB/301; International Search Report; and return receipt postcard.

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NO.	
TBA 10/560706		PCT/IP2004/008218		5000-5291	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/> Basic national fee		\$300	\$300	
22.	<input checked="" type="checkbox"/> Examination fee If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33 (1)-(4).....		\$0		
	All other situations.....		\$200	\$200	
23.	<input checked="" type="checkbox"/> Search fee If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1) - (4).....		\$0		
	Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....		\$100		
	International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....		\$400		
	All other situations.....		\$500	\$400	
TOTAL OF 21, 22 and 23 =				\$900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
57 - 100 =	/50 =		x \$250.00	\$0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	19 - 20 =	0	x \$50.00	\$0	
Independent claims	2-3	0	x \$200.00	\$0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$0	
TOTAL OF ABOVE CALCULATIONS =				\$900	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$900	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
TOTAL NATIONAL FEE =				\$900	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$0
TOTAL FEES ENCLOSED =				\$900	
				Amount to be refunded:	\$
				Amount to be charged:	\$900
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-4500 (5000-5291)</u> in the amount of \$900.00 to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-4500 (5000-5291)</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: CUSTOMER NUMBER 27123 Steven F. Meyer, Esq. Morgan & Finnegan LLP 3 World Financial Center New York, New York 10281-2101</p> <p>Dated: <u>December 13, 2005</u></p>					
				<p><i>Steven F. Meyer</i> Signature</p> <p><u>Steven F. Meyer</u> Name</p> <p><u>35.613</u> REGISTRATION NUMBER</p>	

IN THE UNITED STATES

☐ RECEIVING OFFICE (RO/US)
☒ DESIGNATED OFFICE (DO/US)
☒ ELECTED OFFICE (EO/US)

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TITLE OF INVENTION
MIS TRANSISTOR AND CMOS TRANSISTORAPPLICANT(S)
Takefumi NISHIMUTA; Hiroshi MIYAGI; Tadahiro OHMI; Shigetoshi SUGAWA; and Akinobu TERAMOTOMail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Certification

I declare that on the date indicated below I deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee", bearing Label Number EV 622501756 US, addressed to the Commissioner for Patents, Box PCT (DO/EO/US), P.O. Box 1450, Alexandria, VA 22313-1450 and having an express mail certification which I executed, the following papers:

1. Transmittal Letter to the US Designated/Elected Office (DO/EO/US) Concerning a Submission under 35 USC 371;
2. Specification: 38 pps; Claims: 6 pps; Abstract 1 pp;
3. Formal Drawings: 12 sheets (Fig 1-10C);
4. Information Disclosure Statement;
5. PTO Form 1449 and cited references;
6. International Search Report;
7. Preliminary amendment;
8. PCT/IB/308 (First Notice);
9. PCT/IB/308 (Second and Supplementary Notice);
10. First page of published application;
11. PCT/IB/311;
12. PCT/IB/304;
13. PCT/IB/307;
14. PCT/IB/301; and
15. Return receipt postcard

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Albert Isles

(Typed or printed name of person making this verified statement)



(Signature of person making this verified statement)

December 13, 2005

Date